

# **EXHIBIT A**

**Daniel Bernard**

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**From:** Daniel Bernard  
**Sent:** Tuesday, October 5, 2021 2:09 PM  
**To:** Lan Yao  
**Subject:** Yao v Oakland University

Ms. Yao – You have not served your required initial disclosures in this matter, and you continue to contact Oakland University personnel directly despite having been previously instructed not to do so. Accordingly, I am preparing a motion to compel your initial disclosures and a motion for sanctions related to your continued refusal to comply with instructions not to contact Oakland personnel directly. The purpose of this email is to request your concurrence in these motions, pursuant to LR 7.1.

Please advise by Friday, October 8, whether you will concur in these motions. If so, I will prepare appropriate orders and send them to you for approval. If not, I will file the motions and you will have an opportunity to file answers to them.

Daniel J. Bernard  
Law Office of Daniel J. Bernard  
18557 Canal Road, Suite 2  
Clinton Township, MI 48038  
586-315-2009  
586-315-2019 Fax  
*dan@bernardlaw.us*

## Daniel Bernard

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**From:** Daniel Bernard  
**Sent:** Wednesday, October 6, 2021 9:32 AM  
**To:** Lan Yao  
**Subject:** RE: Yao v Oakland University

Ms. Yao – As has been explained previously, you must not contact Oakland University personnel directly regarding this litigation. Your persistent refusal to comply with this instruction is clearly a refusal to concur in the motion for sanctions I described in yesterday's email. Also, you have not responded to my request for concurrence in a motion to compel your initial disclosures. I originally gave you until Friday, October 8, to respond, but your emails since then clearly convey that you have no intention of concurring. I will proceed accordingly.

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Clinton Township, MI 48038  
586-315-2009  
586-315-2019 Fax  
*dan@bernardlaw.us*

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**From:** Lan Yao <yaolan\_1@yahoo.com>  
**Sent:** Wednesday, October 6, 2021 9:28 AM  
**To:** Daniel Bernard <dan@bernardlaw.us>; pescovitz@oakland.edu  
**Cc:** Lan Yao <yaolan\_1@yahoo.com>  
**Subject:** Re: Yao v Oakland University

Mr. Bernard,

Faculty Agreement requires that OU's decision-making body must justify its decisions. **Regarding the renewal or nonrenewal of faculty appointments, the AAUP Faculty Agreement emphasizes three key procedural standards: (1) one-year notice, (2) provision of written reasons for the decision, and (3) the opportunity to appeal the decision.**

The defendant's initial disclosures should be completed by August 18, 2021 according to the order of the court ECF No.13.

May I ask, when will I receive your initial disclosure of OU's tenure decision rationales of all seven nursing candidates (me and my six white comparators) who were reviewed in 2020, and the decision to discontinue my appointment alone based on the reviews of the seven nursing candidates?

I am copying president Ora Pescovitz, following OU's organizational structure.

Thank you for your attention to this matter and your help.

Sincerely,  
Lan Yao, 517-755-8655

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Lan Yao, PhD, RN, FGSA

tel: (517) 755-8655, [yaolan\\_1@yahoo.com](mailto:yaolan_1@yahoo.com)

On Tuesday, October 5, 2021, 02:09:50 PM EDT, Daniel Bernard <[dan@bernardlaw.us](mailto:dan@bernardlaw.us)> wrote:

Ms. Yao – You have not served your required initial disclosures in this matter, and you continue to contact Oakland University personnel directly despite having been previously instructed not to do so. Accordingly, I am preparing a motion to compel your initial disclosures and a motion for sanctions related to your continued refusal to comply with instructions not to contact Oakland personnel directly. The purpose of this email is to request your concurrence in these motions, pursuant to LR 7.1.

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